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**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA**

JEROME LAMA,	:	
Plaintiff	:	
	:	CIVIL ACTION-LAW
v.	:	
	:	
PROGRESSIVE INSURANCE COMPANY,	:	NO.
Defendant	:	

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**NOTICE OF REMOVAL**

Defendant, Progressive Advanced Insurance Company, incorrectly identified as Progressive Insurance Company herein after (“Progressive”) files the following Notice of Removal and in support of same states the following:

1. Defendant Progressive is an Ohio Corporation with its principal place of business located at 6300 Wilson Mills Road, Mayfield, OH 44143. As of date of this removal, Progressive is a citizen of Cuyahoga County, Ohio.
2. Plaintiff, Jerome Lama is an adult individual and is a citizen of Butler County, Pennsylvania. Plaintiff resides at 555 Cortez Road, Jefferson Township, PA 18436.
3. The Plaintiff filed a Complaint against Progressive in the Court of Common Pleas of Luzerne County, Pennsylvania on November 29, 2023. The Complaint was docketed at Luzerne County Court of Common Pleas, No. 2023-12203. A copy of the Complaint is attached as Exhibit “A.”
4. In his Complaint, Plaintiff seeks damages for personal injury as a result of a motor vehicle accident on December 2, 2021.

5. In his Complaint, Plaintiff alleges a breach of the insurance agreement. See Exhibit "A."

6. In his Complaint, Plaintiff alleges at the time of the December 2, 2021 accident, he was covered under a motor vehicle insurance policy with Defendant Progressive

7. Plaintiff's Complaint seeks damages in excess of Fifty Thousand Dollars (\$50,000.00). The insurance policy at issue has UIM limits of One Hundred Thousand Dollars (\$100,000.00).

8. Prior to asserting a claim for underinsured motorist benefits against Progressive, Plaintiff settled his claims against the third party tortfeasor, who had total limits of liability coverage in the amount of Twenty-Five Thousand Dollars (\$25,000.00).

9. As such, Plaintiff's claims exceed the jurisdictional amount of Seventy-Five Thousand Dollars (\$75,000.00) as Progressive is entitled to a credit against any recovery of underinsured motorist benefits in the amount of the limits of liability coverage recoverable by Plaintiff from the tortfeasor.

10. Progressive is filing this Notice of Removal in that complete diversity of citizenship exists between Plaintiff, a citizen of Pennsylvania, and Progressive, a citizen of Ohio. Also, the amount in controversy is in excess of Seventy-Five Thousand Dollars (\$75,000.00).

11. Removal is timely under U.S.C. § 1446(b) because less than thirty (30) days have elapsed since service of the Complaint on Progressive.

12. Progressive will give written notice of the Plaintiff, as required by 28 U.S.C. § 1416(d).

13. A copy of this notice will be filed with the Prothonotary of Luzerne County, as required by 28 U.S.C. 1446 § (d).

Respectfully submitted,

**FORRY ULLMAN**

BY: /s/ David R. Friedman  
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Dated: 12/20/23

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Plaintiff :  
: CIVIL ACTION-LAW  
v. :  
: NO.  
PROGRESSIVE INSURANCE COMPANY, :  
Defendant :  
:

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**CERTIFICATE OF SERVICE**

I, David R. Friedman, Esquire hereby certify that on the date noted below, a true and correct copy of Defendant's Notice of Removal was served via electronic mail to the following party(ies):

**Counsel for Plaintiff:**

Edwin A. Abrahamsen Jr., Esquire  
ABRAHAMSEN CONABOY  
1006 Pittston Avenue  
Scranton, PA 18505  
[cabrahamsen@law-aca.com](mailto:cabrahamsen@law-aca.com)

This statement is made subject to the penalties of 18 U.S.C. § 1621, relating to perjury.

**FORRY ULLMAN**

BY: /s/ David R. Friedman  
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Dated: 12/20/23